IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Bail Appl..No. 7377 of 2006()

CRIME NO. 148/97 OF NILAMBUR POLICE STATION

PETITIONER:

V.P. ALAVIKUTTY, AGED 30 YEARS,
S/O. V.P. AHAMMED KUTTY, VADAKKUM PADATH HOUSE,
KURATHIYAR POIL, NADUVATH P.O., NILAMBUR.

BY ADV. SRI.P.SANJAY
SRI.JINU JOSEPH

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
THROUGH S.I. NILAMBUR POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7377 of 2006

DATED: December 19, 2006

O R D E R

Petitioner who is the 6th accused in Crime No. 148/97 of Nilambur Police Station for offences punishable under Secs. 143, 147, 148, 323 and 324 read with sec. 149 I.P.C., seeks anticipatory bail. Admittedly, due to the non-appearance of the petitioner before the J.F.C.M., Nilambur, the case against the petitioner has been transferred to the Long Pending Register as L.P. No. 25/05. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. It is for the petitioner to seek regular bail after surrendering before the concerned Magistrate's Court. Accordingly, if the petitioner surrenders before the magistrate court and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after examining the petitioner's contention regarding his previous non-appearance.

With the above observation this application is dismissed.

Sd/- V.RAMKUMAR,
JUDGE.

ani.

/true copy/ P.A. to Judge.